



Lucas Ramirez, Mayor  
Alison Hicks, Vice Mayor  
Margaret Abe-Koga, Councilmember  
Ellen Kamei, Councilmember  
Sally Lieber, Councilmember  
Lisa Matichak, Councilmember  
Pat Showalter, Councilmember

Kimbra McCarthy, City Manager  
Jennifer Logue, City Attorney  
Heather Glaser, City Clerk

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August 30, 2022

Video Conference with No Physical Meeting Location

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## SPECIAL CITY COUNCIL MEETING

During this declared state of emergency, the meeting was conducted in accordance with California Government Code §54953(e) as authorized by resolution of the City Council. All members of the City Council participated in the meeting by video conference, with no physical meeting location.

### 5:00 P.M.-STUDY SESSION

#### 1. CALL TO ORDER

At 5:00 p.m., Mayor Ramirez called the meeting to order.

#### 2. ROLL CALL

**Present:** 6 - Councilmember Abe-Koga, Councilmember Kamei, Councilmember Lieber, Councilmember Matichak, Councilmember Showalter, Mayor Ramirez

**Absent:** 1 - Vice Mayor Hicks

At 5:03 p.m., Vice Mayor Hicks arrived.

#### 3. STUDY SESSION

##### 3.1 Affordable Housing Strategic Plan

The purpose of this Study Session was to receive input from the City Council on staff's recommended strategies to address anticipated affordable housing needs for the next five years.

Housing and Neighborhoods Services Manager Micaela Hellman-Tincher presented the item.

Assistant City Manager/Community Development Director Aarti Shrivastava and Assistant Community Development Director Wayne Chen were available for questions.

The following members of the public spoke:

Ray Bramson, on behalf of Destination: Home.

Tim MacKenzie

Edie Keating

Alex Brown

Kevin Ma, on behalf of the League of Women Voters.

Emily Ann Ramos, on behalf of Silicon Valley at Home.

Mary Hodder

The Council directed questions to staff.

The Council indicated general agreement with the recommendations of staff. The following modifications were unanimously supported by the Council:

Strategy 1: a.1. modify language to read: "For the time being, complete pipeline projects, prioritize RFQ/RFP process for city-owned properties. Second priority is for potential projects through the NOFA process that address the Housing Element and/or AFFH/fair housing, and as circumstances change, utilize the NOFA process as funding and staffing are available."

Strategy 1: b.2. modify language to read: "Develop local revenue ballot measure to fund affordable housing if regional measure is not implemented (Housing Element)."

Strategy 2: b.1. modify language to read: "Research funding sources and partnerships, such as downpayment/equity share/revolving loans etc., to support home ownership (Housing Element)."

At 7:07 p.m., the Study Session ended.

### **6:30 P.M.-SPECIAL SESSION**

#### **1. CALL TO ORDER/PLEDGE OF ALLEGIANCE**

At 7:20 p.m., Mayor Ramirez called the meeting to order.

#### **2. ROLL CALL**

**Present:** 7 - Councilmember Abe-Koga, Councilmember Kamei, Councilmember Lieber, Councilmember Matichak, Councilmember Showalter, Vice Mayor Hicks, Mayor Ramirez

#### **3. PRESENTATION**

##### **3.1 Art and Wine Festival Weekend Proclamation**

Mayor Ramirez presented the proclamation to Peter Katz, President & CEO of the Mountain View Chamber of Commerce.

There were no public speakers.

#### **4. CONSENT CALENDAR**

Councilmember Lieber discussed Item 4.6.

Councilmember Kamei discussed Item 4.6.

Councilmember Showalter discussed Items 4.6 and 4.8.

Vice Mayor Hicks discussed Item 4.6.

The following members of the public spoke:

Shani Kleinhaus, on behalf of Santa Clara Valley Audubon Society, indicated support for Item 4.6.

Radhika Thekkath, California Native Plant Society - Santa Clara Valley Chapter, indicated support for Item 4.6.

Bruce England, on behalf of GreenSpaces Mountain View, discussed Item 4.6.

Silja Paymer, on behalf of GreenSpaces Mountain View, discussed Item 4.6.

Alex Brown discussed Item 4.6.

Mary Dateo discussed Item 4.6.

Akshat

MOTION - M/S - Abe-Koga/Matichak - To approve the Consent Calendar.

The motion carried by the following roll call vote:

**Yes:** 7 - Councilmember Abe-Koga, Councilmember Kamei, Councilmember Lieber, Councilmember Matichak, Councilmember Showalter, Vice Mayor Hicks, Mayor Ramirez

#### **4.1 Approve Minutes**

Approve City Council meeting minutes of November 13, 2018 and August 16, 2022.

#### **4.2 Adopt a Resolution Temporarily Closing Parking Lot 12 During Sunday 49ers Home Games for Fiscal Year 2022-23 and Fiscal Year 2023-24 for Use by California Farmers' Market Association**

Adopt Resolution No. 18701 of the City Council of the City of Mountain View Authorizing Temporary Closure of Parking Lot 12 from 7:30 a.m. through 2:30 p.m. During Sunday

49ers Home Games at Levi's Stadium in Santa Clara for Fiscal Years 2022-23 and 2023-24 for Use by the California Farmers' Market Association.

**4.3 Notice of Intention to Vacate Public Easements at 870 East El Camino Real**

Adopt Resolution No. 18702, a Resolution of Intention of the City Council of the City of Mountain View to Vacate Public Easements at 870 East El Camino Real, and set a date for a public hearing to consider the vacation for September 27, 2022.

**4.4 Clarification of the Employer Contribution for Employees and Retired Annuitants Under the Public Employees' Medical and Hospital Care Act with Respect to the Mountain View Professional Firefighters and Police Officers Association**

1. Adopt Resolution No. 18703 of the City Council of the City of Mountain View Fixing the Employer Contribution at an Equal Amount for Employees and Annuitants Under the Public Employees' Medical and Hospital Care Act with Respect to a Recognized Employee Organization (Group 001 Safety-Fire).

2. Adopt Resolution No. 18704 of the City Council of the City of Mountain View Fixing the Employer Contribution at an Equal Amount for Employees and Annuitants Under the Public Employees' Medical and Hospital Care Act with Respect to a Recognized Employee Organization (Group 002 Safety-Police).

**4.5 Adopt a Resolution Governing Employee Compensation for SEIU Employees**

Adopt Resolution No. 18705 of the City Council of the City of Mountain View Amending Resolution No. 18693, Which Authorized the City Manager or Designee to Amend the Memorandum of Understanding Between the Service Employees International Union, Local 521, and the City for the Period of July 1, 2022 through June 30, 2024, to Correct an Error in the Provision Governing Equity Adjustments.

**4.6 Biodiversity Strategy, Project 23-37-Authorize Professional Services Agreement**

Authorize the City Manager or designee to execute a professional services agreement with San Francisco Estuary Institute to provide professional services for Citywide Biodiversity Strategy, Project 23-37, in an amount not to exceed \$568,000 and rename the project Citywide Biodiversity Strategy and Urban Forest Plan.

**4.7 Designate a Voting Delegate for the 2022 Cal Cities Annual Conference**

Designate Councilmember Ellen Kamei as the voting delegate for the General Assembly meeting at the 2022 Cal Cities Annual Conference.

**4.8 Miramonte Water and Sewer Main Replacement, Projects 21-21 and 21-22-Amend Project Budgets, Approve Plans and Specifications/Authorize Bidding**

1. Appropriate and transfer \$1,572,000 from Miscellaneous Water Main/Service Line Replacement, Project 18-21, to Miscellaneous Water Main/Service Line Replacement, Project 21-21, for the Miramonte Water Main Replacement Project. (Five votes required)

2. Appropriate and transfer \$166,000 from Miscellaneous Storm/Sanitary Sewer Main Replacement, Project 18-22, to Miscellaneous Storm/Sanitary Sewer Main Replacement, Project 21-22, for the Miramonte Sewer Main Replacement Project. (Five votes required)

3. Approve plans and specifications for Miramonte Water and Sewer Main Replacement, Projects 21-21 and 21-22, and authorize staff to advertise the project for bids.

4. Authorize the City Manager or designee to award the construction contract to the lowest responsible bidder if the low bid is within the project budget

**4.9 Whisman Pump Station Improvements, Project 21-55-Amend Professional Design Services Agreement**

Authorize the City Manager or designee to amend the professional design services agreement with HydroScience to provide design and construction support services for Whisman Pump Station Improvements, Project 21-55, and increase compensation by \$407,000 for a total contract amount of \$531,000.

**4.10 Sailing Lake Access Road Improvement, Construction, Project 21-53-Amend Professional Services Agreement**

Authorize the City Manager or designee to amend the professional services agreement with AECOM Technical Services, Inc., for Sailing Lake Access Road Improvement, Construction, Project 21-53, increasing compensation by \$102,553 for a total not-to-exceed amount of \$402,553.

**4.11 Authorization of an Agreement with Strategic Energy Innovations to Host Two Climate Corps Fellows**

Authorize the City Manager or designee to execute an agreement with Strategic Energy Innovations for a total not to exceed \$110,000 to host two Climate Corps Fellows.

**5. ORAL COMMUNICATIONS FROM THE PUBLIC ON NONAGENDIZED ITEMS**

The following members of the public spoke:

Tim MacKenzie from Mountain View discussed the housing element and de-policing traffic enforcement.

Albert Jeans discussed the quality of buildings and parks in Mountain View.

Bruce England from Mountain View discussed adding legislative priority input to advisory body work plans.

**6. PUBLIC HEARINGS**

**6.1 Introduce Ordinances to Add Article III, Responsible Construction, and Article IV, Wage Theft, to Chapter 42 of the Mountain View City Code and Adopt a Resolution Amending the Master Fee Schedule**

Assistant to the City Manager Christina Gilmore presented the item.

Public Works Director Dawn Cameron and Senior Assistant City Attorney Nicole Wright were available for questions.

The Council directed questions to staff.

The following members of the public spoke:

Ryan Jones, on behalf of United Association of Journeymen Local 393.

Ruth Silver Taube

Bruce England from Mountain View.

Tim MacKenzie indicated support for a wage theft ordinance.

Harvey McKeon, on behalf of Carpenters Local 405, indicated support for the proposed ordinances.

Forest Peterson indicated agreement with Tim MacKenzie.

Felwina Opiso-Mondina, on behalf of the Santa Clara County Wage Theft Coalition and Pilipino Association of Workers and Immigrants, indicated support for the proposed ordinances.

Brian Pors, on behalf of United Association of Journeymen Local 393.

Louise Auerhahn, on behalf of Working Partnerships.

Corey Quevedo, on behalf of United Association of Journeymen Local 393.

Erica Valentine, on behalf of United Association of Journeymen Local 393.

Kevin Ma, on behalf of the League of Women Voters, indicated support for proposed ordinances.

MOTION - M/S - Abe-Koga/Matichak - To:

1. Introduce an Ordinance of the City of Mountain View Adding Article III, Responsible Construction, to Chapter 42 of the Mountain View City Code, and set a second reading for September 13, 2022.
2. Introduce an Ordinance of the City of Mountain View Adding Article IV, Wage Theft, to Chapter 42 of the Mountain View City Code, and set a second reading for September 13, 2022.
3. Adopt Resolution No. 18706 of the City Council of the City of Mountain View Amending the City of Mountain View Master Fee Schedule.

The motion carried by the following roll call vote:

**Yes:** 7 - Councilmember Abe-Koga, Councilmember Kamei, Councilmember Lieber, Councilmember Matichak, Councilmember Showalter, Vice Mayor Hicks, Mayor Ramirez

## 6.2 Mixed-Use Development at 590 Castro Street

Vice Mayor Hicks recused herself from considering the item due to her real property interest in close proximity to the project. Councilmember Abe-Koga recused herself from considering the item due to her real property interest in close proximity to the project.

At 8:48 p.m., Vice Mayor Hicks and Councilmember Abe-Koga left the meeting.

Principal Planner Diana Pancholi presented the item.

Assistant City Manager/Community Development Director Aarti Shrivastava and Public Works Director Cameron were available for questions.

Mayor Ramirez disclosed he spoke with the applicant. Councilmember Matichak disclosed she met with applicant and residents and visited the site. Councilmember Lieber disclosed she met with the applicant and neighbors of the proposed project. Councilmember Showalter disclosed she met with the applicant and spoke with constituents. Councilmember Kamei disclosed she met with the applicant and residents and visited the site.

Rob Tersini from The Sobrato Organization, applicant, Ted Korth with KSH Architects and Nick Samuelson from The Guzzardo Partnership made a presentation.

Amanda Borden with KSH Architects and Gary Black from Hexagon Transportation Consultants were available for questions.

City staff directed questions to City staff, Rob Tersini, Ted Korth, Amanda Boren and Nick Samuelson.

The following members of the public spoke:

Lâmurülum Sai (Merlyn)

Ruth P.

Silja Paymer

Bruce England, on behalf of the Mountain View Coalition for Sustainable Planning.

Robert Cox, on behalf of the Livable Mountain View Steering Committee.

Louise Katz

Leslie Friedman

Albert Jeans

Peter Katz, on behalf of the mountain view chamber of commerce, indicated support for the project.

Julia

Alex Brown

Toni Rath

Hala

Tim MacKenzie

Maureen Blando

Daniel Hulse

Mary Hodder

#### MOTION

Councilmember Lieber moved to reject the recommendation and direct staff to bring back a resolution denying the project based on the following: 1) the proposed uses and development are detrimental to the public interest, health, safety, convenience and welfare; 2) the proposed project does not promote or support a well-designed development that is harmonious with existing and planned development in the surrounding area; 3) the architectural design of structures is not compatible with the surrounding area; 4) the location and configuration of structures, parking, landscape and access are inappropriately integrated and incompatible with surrounding development, including public streets, sidewalks and other public property; 5) the design and layout of the proposed project will counteract well-designed vehicular and pedestrian access, circulation and parking; 6) the condition of the trees with respect to the age relative to the lifespan of the species, disease infestation, general health, damage, public nuisance, danger of falling, proximity to existing or other proposed structures, and any interference with utility services indicate that the condition is not met and is counter to a plausible heritage tree removal process; 7) the necessity of the removal of the heritage trees does not exist and is not in order to construct improvements or allow reasonable and conforming use of the property when compared to other similarly situated properties; 8) the nature and quality of the trees are heritage trees for their maturity, aesthetic qualities such as its canopy, shade and structure, majestic stature, and their visual impact on the neighborhood, which suggests that they should not be removed.

The motion died for lack of a second.

MOTION - M/S - Showalter/Ramirez - To:

1. Adopt Resolution No. 18707 of the City Council of the City of Mountain View Approving a Planned Community Permit and Development Review Permit to Construct a New Four-Story, 105,264 Square Foot Mixed-Use Commercial Building with Two Levels of Underground Parking, Including Reduced Parking (from 314 to 255 spaces); Heritage Tree



Removal Permit to Remove Nine Heritage Trees; and Finding the Project to be Categorically Exempt Pursuant to California Environmental Quality Act Guidelines, Section 15332 ("In-Fill Development Projects") at 590 Castro Street.

2. Adopt Resolution No. 18708 of the City Council of the City of Mountain View Approving a Preliminary Parcel Map to Combine Five Lots into One Lot; and Finding the Project to be Categorically Exempt Pursuant to California Environmental Quality Act Guidelines, Section 15332 ("In-Fill Development Projects") at 590 Castro Street.

#### FRIENDLY AMENDMENT

Councilmember Matichak moved to direct the applicant to work with staff to modify the plaza lighting and color to complement the Downtown ambience.

The maker and seconder of the motion accepted the amendment.

#### FRIENDLY AMENDMENT

Councilmember Matichak moved to direct the applicant to work with staff to refine the bike racks to have a less industrial design and a more artistic design without impacting functionality.

The maker and seconder of the motion accepted the amendment.

#### FRIENDLY AMENDMENT

Councilmember Matichak moved to amend Condition of Approval 14 to refer to terraces instead of roof decks.

The maker and seconder of the motion accepted the amendment.

#### FRIENDLY AMENDMENT

Councilmember Matichak moved to direct the applicant to work with staff to refine the plaza art piece to achieve an interesting and engaging design.

The maker and seconder of the motion accepted the amendment.

#### FRIENDLY AMENDMENT

Councilmember Matichak moved to amend Condition of Approval 16 to add: "The Parking Management Plan shall also address measures to maximize the extent to which the

Project's office tenants, guests, and visitors will park in the on-site parking structure and not on the surrounding public streets. If the Community Development Director or Public Works Director or their designee determines this goal is not being met and there are documented and persistent parking issues in the Downtown area that are related to the Project's office uses, the applicant will cooperate with the City to implement additional measures to encourage the Project's office tenants, guests, and visitors to park in the parking structure and not on the surrounding public streets, including additional education, enforceable lease terms, enhanced on-site parking management and enforcement, a designated contact for parking related complaints, or similar additional on-site parking management measures to encourage on-site parking."

The maker and seconder of the motion accepted the amendment.

#### FRIENDLY AMENDMENT

Councilmember Kamei moved to amend Condition of Approval 50 to require Transportation Demand Management reports be submitted biannually for the first two years of occupancy.

The maker and seconder of the motion accepted the amendment.

The amended motion carried by following roll call vote:

- Yes:** 4 - Councilmember Kamei, Councilmember Matichak, Councilmember Showalter, Mayor Ramirez
- No:** 1 - Councilmember Lieber
- Recused:** 2 - Councilmember Abe-Koga, Vice Mayor Hicks

MOTION - M/S - Ramirez/Matichak - At 11:35 p.m., to continue the meeting beyond 10:00 p.m.

The motion carried by the following roll call vote:

- Yes:** 5 - Councilmember Kamei, Councilmember Lieber, Councilmember Matichak, Councilmember Showalter, Mayor Ramirez
- Absent:** 2 - Councilmember Abe-Koga, Vice Mayor Hicks

## 7. COUNCIL, STAFF/COMMITTEE REPORTS

Councilmember Showalter stated she attended the National League of Cities Summer Board and Leadership Meeting.

Councilmember Matichak stated she attended a Bay Area Water Supply and Conservation

Agency Board meeting and a Santa Clara County Airport Land Use Commission meeting.

Mayor Ramirez stated he attended the Mayors Innovation Project Summer Meeting.

**8. CLOSED SESSION REPORT**

City Attorney Logue stated there was no Closed Session report.

**9. ADJOURNMENT**

At 11:45 p.m., Mayor Ramirez adjourned the meeting.